App F IX 4

Previous References 1944 Municipal

Int File No 986-44
Serial Nos 24, 25

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Dec 1944

SUBJECT

Refunds of Site Value deposits by Mr. B. Narasimhaiah of Mandya Town

The Dy Commissioner Mandya

L 6337-86 dated 26 12 44

Sanctions

1571

2920/L 1

Letter No AS-790/44-5 dt 28.10 cy
from the D.C Nanjangud requesting
sanction to the refund of Sale Value
deposited by Sri B. Narayanappa, Nanjangud

In the year 1934, a Site measuring
by the standard measure
1222 2/9 Sq yds was granted to Sri B Nara-
yanappa at an upset price since
he could not credit the value in his
the Sale was cancelled & the Site,
divided into 2 Sites & granted to Sri
N. L Lingamma Sri Narayanappa filed a
Civil Suit against the Govt & was successful
but After a lapse of 3 yrs from 1934,
he deposited a sum of Rs 305-8-0 towards
the value of the Site
After deducting from the cost of the Suit
a sum of Rs 51-12-0 being
a portion of the money deposited by the respondent which was
being the property of the respondent which was ordered
to be refunded to him
a sum of Rs 101-00, has to be refunded to
Sri Narayanappa the D.C Nanjangud Sanctio-
ns the refund as the Govt is not functioning
but proposes with a draft to sanction the refund
Draft for

11/12 to the approval

Law Sec 11/12/44

SECY LAW DEPT
4.A.26
1 [illegible] 44
GOVT OF MYSORE

2970/L

OFFICE OF THE MINISTER
FOR L S G & P H
Date 13 12 44
No 4778

TYPING SECTION
20 DEC 1944
GEN & REV SECTT

o A5-790/44-5

Office of the Deputy Commissioner,
Mandya District,
Mandya, Dated, the 28th October '44

From

Mr Safdar Hussain, Esq , B A ,
Deputy Commissioner, Mandya

2970/L

SECY LAW DEPT 1 GOVT OF MYSORE

GEN & SECRETARIAT 1 NOV 1944 LSG BRANCH

To

M C Narayanaswami Naidu, Esq , B A , B L ,
Legal Remembrancer & Secretary to Government,
Law Department, Bangalore

Sir,

Subject -Refund of Site value deposited by Mr BxNaranappa
****

I have the honour to forward herewith a copy of report No O C 357 of 41-42, dated nil from the President, Mandya Town Municipality regarding the above and to state as follows -

In the year 1934 a site measuring 1222 2/9 Sq yards was granted to Mr B Naranappa, at an upset price As he failed to credit the value of in time, the Municipal Council resumed the site and divided the site into two sites and granted one to Mr H L Linganna Mr Naranappa contested the action of the Municipal Council and filed a suit against the Municipality in the Munsiff's Court, Mandya As the decision of the Munsiff went -- against him, he preferred an appeal in the Sub Judge's Court, Mysore - Even here he could not succeed After a lapse of 3 years from 1934, the date of granting the site, he deposited a sum of Rs.305-8-10 towards the value of the site As the civil suit filed by him was decided against - him, he has prayed that the value of the site granted to Mr Linganna, - might be refunded to him It has been decided by the Sub Judge that Mr Nararappa has to pay a sum of Rs 51-12-0 to the Muricipality towards P T C

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towards the expenses incurred for defending the suit Deducting this sum, a sum of Rs 101/- has to be refunded to him.

The President reports that the entire amount paid by Mr Naranappa has been merged in the Municipal Funds, and that sanction of the Municipa Council is necessary to refund the amount As the Municipal Council is not functioning he solicits sanction to the refund of the amount due - to Mr Naranappa

As the Municipal Council is not functioning and as I have not been empowered to exercise the powers of the Municipal Council, I request you kindly to obtain sanction of Government to refund the amount to Mr. - Naranappa

I have the honour to be,
Sir,
Your most obedient servant,

Assistant Commissioner
DEPUTY COMMISSIONER,
MANDYA DISTRICT
absent on General leave

BLV/-

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COPY OF LETTER NO 2 O C 357/41-42 /Encls 2 and One file, dated, nil, from the President, Mandya Municipal Council, Mandya, to the Deputy Commissioner, Mandya District

* * *

Subject - Suit No 153/40-41 on the file of Munsiff's Court, Mandya and R A 61/41-42 Sub-Judge's Court, Mysore, B Naranappa VS Mandya Town Municipality 2 Mr M L Linganna, Mandya

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In connection with the above, I have the honour to state as follows - A site bearing No 3 and measuring 1222 2/9 Sq yards situated in the Banrur Road Western Extension in Mandya Town was allotted to Mr B Naranappa a School Master on his application by the Mandya Town Municipal Council on 4-11-1934, at an upset price of 0-6-0 per Sq yard and subsequently reduced to 0-4-0 per Sq yard and the allottee was intimated to credit the value Since he failed to credit the value the site was resumed on 25-4-1937 On his further representation to the then President on 13-5-1937, the President ordered to the effect that the - full value of site may be received from the party and accordingly he paid-

Rs.	170-0-0	on 13-5-37	(
	100-0-0	on 18-5-37	)
	35-8-10	on 22-5-37	(
	--------		)
Total:	305-8-10		(

In the meanwhile the site has been bifurcated by the Municipal Council, the western half was reallotted to him and the other half was allotted to Mr M L Linganna This action of the Council was disputed by the first holder Mr Naranappa who filed a civil suit for possession of the entire site in the court of the Munsiff, Mandya The Munsiff after enquiring passed judgment up holding the action of the council He again appealed against the decision of the lower court to the Sub Judge's Court, Mysore in R A 61/41-42 Even in the - Appellate Court his contest for the title to the entire site was lost and the Court passed a decree with costs of first and second defendants, the first defendant being this municipality The court further directed that half - the value of the site may be refunded to the first allottee viz; Mr Naranappa The costs of lower court and appellate courts incurred by this municipality,-

P T O

by this municipality amounted to Rs.51-12-0,

Now Mr B Naranappa has applied for the refund of half the site value paid by him to which he is entitled As the sale amount has been credited to normal fund the refund of the half value ~~xxx~~ i.e 152-12-0 less court - costs incured by this Municipality ~~xxxxxxxxxxxxxxx~~Rs.51-12-0 has to be -- sanctioned by the council which is not functioning now In the circumstances I solicit kind orders to sanction refund of Rs.101/- to Mr B Naranappa - The certified copies of the Judgement of lower court and the petition dated 10-4-1944 of Mr Naranappa are enclosed for kind perusal and early orders as the party has been pressing for the amount

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"Copy"

Thirteen as Rs

Deputy Commissioner,
Mandya District.

BLV/-

G R S App F VI—G 2]

SUBJECT ...

Diary No of letter replied to ..

General and Revenue Secretariat

( )

the *194*

Date of issue 26/12/ 1946

Signed by Mr SP Rao

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section H(

File No 98-44

Serial No 25

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— letter No A S- 790/44-45 dt 28 10-44 from the Dt Mandya Dist requesting sanction to the refund of a sum of Rs 101-0-0 out of Rs 305-8-10 deposited by him in connection with the sale of a site measuring 1,222 2/9 sq yds, Mandya town in the year 1934

Order No L-6337-8

Sanctioned

13-12-46

Sec to Govt Revenue Dept 12/12

To

The Dt. Mandya

" Comptroller

List of Enclosures

Copied by

Examined by

WD 087—GPB—40 000—14 11 40

Pages 1 - 96

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

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R F A D -

Letter No A5 790/44-45 dated 28th October 1944 from the Deputy Commissioner, Mandya District, requesting sanction to the refund to Mr B Naranappa, of a sum of Rs 101/-, after deducting the court costs of Rs 51-12-0, out of Rs 305-8-10 deposited by him in connection with the sale by the Mandya Town Municipal Council, of a site measuring $1222\frac{2}{9}$ Square yards in the Mandya Town

O R D E R No L-6337-8-Ml-98-4425

Dated, Bangalore, 26th December 1944

S A N C T I O N E D

SECRETARY TO GOVERNMENT,
Law Department.

To - The Deputy Commissioner, Mandya District
" Comptroller to Government of Mysore

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